

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Roger Burleigh on December 16, 2010.

**Claims Amended:**

- **Claims 59 and 68 are amended as follow:**

59. (Currently Amended) A network-based traffic control server device in a communication system including a plurality of access networks, at least one mobile multi-access terminal and means for traffic control, said server device comprising:

means for receiving access-related information from at least a subset of the access networks;

means for coordinating the access-related information;

means for determining a traffic control signal through adaptive traffic control calculations based on the coordinated access-related information; and,  
means for transmitting traffic distribution information comprising the traffic control signal to a traffic control client of the multi-access terminal, whereby said traffic control client can spread traffic over the access networks in response to the traffic control signal.

68. (Currently Amended) A mobile multi-access terminal for use in a communication system ~~including~~ having a plurality of access networks~~[[,]]~~ and a network-based traffic control server ~~and means for traffic control~~, said terminal comprising:

means for receiving, at a traffic control client of said terminal, traffic distribution information comprising a traffic control signal determined through adaptive traffic control calculations from the traffic control server, said traffic control server having determined said traffic control signal as a function of access-related information received from at least a subset of said access networks; and,

means for spreading, at the traffic control client of said terminal, traffic over the access networks in response to the traffic control signal.

#### **Allowable Subject Matter**

2. Claims 36-38, 40-54, 56-70 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Claims 36 and their dependents thereof, are allowed because the closes prior art, Stolosrz (2003/0065762), Rush (2003/0100308), Steinberg (2004/0136324), and Bodlaender (2005/0120140), either alone or in combination, fails to anticipate or render obvious a method for traffic control in a communication system comprising a plurality of access networks and at least one mobile multi-access terminal, said method comprising the steps of:

receiving, at a network-based traffic control server of the communication system, access-related information from at least a subset of the access networks;

coordinating the access-related information at the traffic control server; determining a traffic control signal through adaptive traffic control calculations based on the coordinated access-related information, wherein said determining step is performed at the traffic control server and involves a traffic-spread decision by the traffic control server, said method further comprising the step of forwarding the traffic spread decision to a traffic control client of a multi-access terminal; and,

spreading, at said traffic control client of the multi-access terminal, traffic over the access networks in response to the traffic control signal.

Specifically, Stolosrz, Rush, Steinberg, and Bodlaender, either alone or in combination, fails to anticipate or render obvious by coordinating access related information at a control server, determining a traffic control signal through adaptive traffic control calculations based on the coordinated access-related information, wherein determining step is performed at the traffic control server and involves a traffic-spread decision by the traffic control server, said method further comprising the step of forwarding the traffic spread decision to a traffic control client of a multi-access terminal.

Claims 53 and their dependents thereof, are allowed because the closes prior art, Stolosrz, Rush, Steinberg, and Bodlaender, either alone or in combination, fails to anticipate or render obvious a communication system including a plurality of access networks, at least one mobile multi-access terminal and means for traffic control, comprising:

means for receiving, at a network-based traffic control server of the communication system, access-related information from at least a subset of the access networks;

means for coordinating the access-related information at the traffic control server;

means for determining a traffic control signal through adaptive traffic control calculations based on the coordinated access-related information; and,

means for spreading, at a traffic control client associated with the multi-access terminal, traffic over the access networks in response to the traffic control signal;

wherein the means for determining is arranged at the traffic control server, said system further comprising:

means for transmitting a traffic distribution recommendation comprising the traffic control signal from the traffic control server to the traffic control client; and,

means for deciding, at the traffic control client, how to spread traffic over the access networks based on the traffic distribution recommendation.

Claims 59 and their dependents thereof, are allowed because the closes prior art, Stolosrz, Rush, Steinberg, and Bodlaender, either alone or in combination, fails to anticipate or render obvious a network-based traffic control server device in a communication system including a plurality of access networks, at least one mobile multi-access terminal and means for traffic control, said server device comprising:

means for receiving access-related information from at least a subset of the access networks;

means for coordinating the access-related information;

means for determining a traffic control signal through adaptive traffic control calculations based on the coordinated access-related information; and,

means for transmitting traffic distribution information comprising the traffic control signal to a traffic control client of the multi-access terminal, whereby said traffic control client can spread traffic over the access networks in response to the traffic control signal.

Claims 68 and their dependents thereof, are allowed because the closes prior art, Stolosrz, Rush, Steinberg, and Bodlaender, either alone or in combination, fails to anticipate or render obvious a mobile multi-access terminal for use in a communication system having a plurality of access networks and a network-based traffic control server, said terminal comprising:

means for receiving, at a traffic control client of said terminal, traffic distribution information comprising a traffic control signal determined through adaptive traffic control calculations from the traffic control server, said traffic control server having determined said traffic control signal as a function of access-related information received from at least a subset of said access networks; and,

means for spreading, at the traffic control client of said terminal, traffic over the access networks in response to the traffic control signal.

Specifically, Stolosrz, Rush, Steinberg, and Bodlaender, either alone or in combination, fails to anticipate or render obvious by coordinating access related information at a control server, determining a traffic control signal through adaptive traffic control calculations based on the coordinated access-related information, wherein determining step is performed at the traffic control server and involves a traffic-spread decision by the traffic control server, said method further comprising the step of forwarding the traffic spread decision to a traffic control client of a multi-access terminal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY PHAM whose telephone number is (571)270-7115. The examiner can normally be reached on Monday-Friday; 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne D. Bost can be reached on 571-272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ Timothy Pham/  
Examiner, Art Unit 2617

/Nghi H. Ly/  
Primary Examiner, Art Unit 2617